

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

XR COMMUNICATIONS, LLC, dba
VIVATO TECHNOLOGIES,

Plaintiff,

v.

AT&T SERVICES INC.; AT&T MOBILITY
LLC; and AT&T CORP.,

Defendants,

NOKIA OF AMERICA CORPORATION and
ERICSSON INC.,

Intervenors.

Case No. 2:23-cv-00202-JRG-RSP
(Lead Case)

JURY TRIAL DEMANDED

**JOINT MOTION TO WITHDRAW OR DENY AS MOOT DEFENDANTS/NOKIA'S
MOTION FOR PARTIAL SUMMARY JUDGMENT OF NO INFRINGEMENT
FOR NOKIA PRODUCTS (DKT. NO. 156)**

Plaintiff XR Communications, LLC, dba Vivato Technologies (“Vivato”) and Defendants AT&T Services, Inc., AT&T Mobility LLC, AT&T Corp. (“AT&T”), Verizon Communications, Inc., Cellco Partnership d/b/a Verizon Wireless (“Verizon”), and T-Mobile USA, Inc., (“T-Mobile”) (AT&T, Verizon, and T-Mobile are collectively referred to as the “Defendants”) and Intervenor Nokia of America Corporation (“Nokia”) (collectively, “Parties”) respectfully and jointly move the Court to withdraw or deny as moot Defendants/Nokia’s Motion for Partial Summary Judgment of No Infringement for Nokia Products (Dkt. 156) (“the Motion”).

On June 4, 2025, Defendants/Nokia filed the Motion, seeking (1) partial summary judgment that use of Nokia products does not infringe any asserted claim of the U.S. Patent No. 8,737,511 (the “511 Patent”), U.S. Patent No. 10,715,235 (the “235 Patent”), and U.S. Patent No. 7,177,369 (the “369 Patent”); and (2) partial summary judgment on Nokia’s First, Second,

and Fourth counterclaims for a declaratory judgment of non-infringement as to the '511 Patent, the '235 Patent, and the '369 Patent, respectively. Dkt. 156. The Parties have jointly requested and stipulated to dismissal with prejudice of the challenged claims and without prejudice of the counterclaims in the Motion with respect to Nokia Products. Dkt. 180.

WHEREFORE, the Parties now move to withdraw or deny as moot Defendants/Nokia's Motion for Partial Summary Judgment of No Infringement for Nokia Products, filed at Dkt. No. 156.

Dated: June 19, 2025

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CERTIFICATE OF CONFERENCE

The undersigned hereby certifies that counsel for the Parties met and conferred to discuss the substantive issues addressed in this Motion pursuant to Local Rule CV-7(h). The Parties jointly seek the relief sought herein.

/s/ Reza Mirzaie
Reza Mirzaie

CERTIFICATE OF SERVICE

The undersigned hereby certifies that counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3) on June 19, 2025.

/s/ Reza Mirzaie
Reza Mirzaie